

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO**

SHARIF A. and SAMIA RABADI,

Plaintiffs,

vs.

CIV 17-1112 JCH/KBM

D R HORTON, INC.,  
a Delaware Corporation,

Defendant.


**ORDER ADOPTING MAGISTRATE JUDGE'S  
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

The Magistrate Judge filed her Proposed Findings and Recommended Disposition on July 9, 2018 (*Doc. 42*). The proposed findings notify the parties of their ability to file objections within fourteen (14) days and that failure to do so waives appellate review. To-date, no objections have been filed and there is nothing in the record indicating that the proposed findings were not delivered.

Wherefore,

**IT IS HEREBY ORDERED AS FOLLOWS:**

1. The Magistrate Judge's Proposed Findings and Recommended Disposition (*Doc. 42*) is **adopted**;
2. Defendant D R Horton, Inc's Motion for Summary Judgment (*Doc. 20*) is **granted in part and denied in part**. Defendant's motion is granted with respect to Counts I (promissory estoppel), II (unfair business practices), and IV (loss of market value). Count III is construed as breach of contract and Defendant's motion is denied on the breach of contract claim.

  
UNITED STATES DISTRICT JUDGE